

Alstate Process Service Inc.60 BURT DRIVE
DEER PARK, NEW YORK 11729
631/667-1800CASE # HELIOS 0114
Date Received: 01/14/08

UNITED STATES SOUTHERN DISTRICT COURT

COUNTY OF NEW YORK

INDEX NO.: 08 CV 0145

BUSHIDO CAPITAL MASTER FUND, L.P., BCMF TRUSTEES,
L.L.C.

Plaintiff(s)

against

HELIOS COATINGS, INC.

Defendant(s)

**AFFIDAVIT
OF
SERVICE**

STATE OF OHIO COUNTY OF SUMMIT ss.:

being duly sworn, deposes and says: that deponent is not a party

I, JOHN APYNYS

to this action, is over 18 years of age and resides in

The State of ~~NEW YORK~~ Ohio

That on 1/17/08 @ 4:10 am @ 1411 Navarre Road SW, Canton, Ohio 44706

deponent served the within SUMMONS AND COMPLAINT bearing Index# 08 CV 0145 & filing date 01/07/08

on

HELIOS COATINGS, INC.

defendant therein named,

INDIVIDUAL

☐

by delivering thereat a true copy of each to said defendant personally; deponent knew said person so served to be the person described as said defendant therein. (S)He identified (her) himself as such.

CORPORATION

☒

a Domestic corporation, by delivering thereat a true copy of each to personally; deponent knew said corporation so served to be the corporation described as the named defendant and knew said individual to be the General Manager

SCOTT LINDSEY

thereof an authorized person to accept service of process

SUITABLE
AGE PERSON☐

by delivering thereat a true copy of each to

a person of suitable age and discretion. That person was also asked by deponent whether said premises was the defendant's

and the reply was affirmative.

AFFIXING TO
DOOR, ETC.☐

by affixing a true copy of each to the door of said premises, which is defendant's

within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having verified defendant's

with

and having called there on

MAILING

☐

On deponent also enclosed a copy of same in a postpaid sealed wrapper properly addressed to defendant at defendant's

and deposited said wrapper in a post office of the United States Postal Service.

DESCRIPTION

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
M	WH	brown	40	6'	200

USE IN
NYC CIVIL CT.☐

Other identifying features:

The language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of said summons(es).

MILITARY
SERVICE☐

I asked the person spoken to whether defendant was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply.

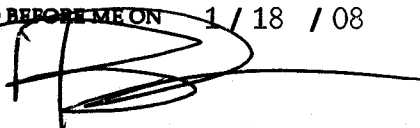
The source of my information and the grounds of my belief are the conversations and observations above narrated.

Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or Federal statutes.

NOTARY

SWORN TO BEFORE ME ON

1/18/08



RICHARD D. PURSER, Notary Public

MY COMMISSION EXPIRES

Residence - Medina County

State Wide Jurisdiction, Ohio

My Commission Expires 4/5/09

SERVER JOHN APYNYS

LICENSE NO. n/a